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Request for the inclusion of a supplementary item in the agenda of the sixtieth session

A proactive role for the United Nations in maintaining peace in the Taiwan Strait

Letter dated 5 August 2005 from the representatives of Burkina Faso, Chad, Gambia, Guatemala, Malawi, the Marshall Islands, Nauru, Palau, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Solomon Islands and Tuvalu to the United Nations addressed to the Secretary-General

Upon the instruction of our respective Governments, we have the honour to request, pursuant to rule 14 of the rules of procedure of the General Assembly, the inclusion in the agenda of the sixtieth session of a supplementary item entitled "A proactive role for the United Nations in maintaining peace in the Taiwan Strait". Pursuant to rule 20 of the rules of procedure of the General Assembly, we attach an explanatory memorandum (annex I) and a draft resolution (annex II).

We have the honour to request also that this item be considered under the heading "Maintenance of international peace and security".

(*Signed*) Michel **Kafando**
Permanent Representative
Permanent Mission of Burkina Faso to the United Nations

(*Signed*) Mahamat Ali **Adoum**
Permanent Representative
Permanent Mission of the Republic of Chad to the United Nations

(*Signed*) Crispin **Grey-Johnson**
Permanent Representative
Permanent Mission of the Gambia to the United Nations

(*Signed*) Roberto **Lavalle-Valdes**
Chargé d'affaires a.i.
Permanent Mission of Guatemala to the United Nations

05-45872 (E) 170805

(*Signed*) Brown **Chimphamba**
Permanent Representative
Permanent Mission of the Republic of Malawi to the United Nations

(*Signed*) Annette **Note**
Chargé d'affaires a.i.
Permanent Mission of the Republic of
the Marshall Islands to the United Nations

(*Signed*) Marlene **Moses**
Permanent Representative
Permanent Mission of the Republic of Nauru to the United Nations

(*Signed*) Stuart **Beck**
Permanent Representative
Permanent Mission of the Republic of Palau to the United Nations

(*Signed*) Joseph **Christmas**
Permanent Representative
Permanent Mission of Saint Kitts and Nevis to the United Nations

(*Signed*) Margaret Hughes **Ferrari**
Permanent Representative
Permanent Mission of Saint Vincent and
the Grenadines to the United Nations

(*Signed*) Domingos Augusto **Ferreira**
Chargé d'affaires a.i.
Permanent Mission of Sao Tome and Principe to the United Nations

(*Signed*) Collin **Beck**
Permanent Representative
Permanent Mission of Solomon Islands to the United Nations

(*Signed*) Enele S. **Sopoaga**
Permanent Representative
Permanent Mission of Tuvalu to the United Nations

Annex I

Explanatory memorandum

The security and peace of the Taiwan Strait affect not only the life and properties of the peoples on the two sides of the Taiwan Strait, but also the peace and stability of all of East Asia, and even that of the whole world. Due to the rapid expansion of the People's Republic of China's military strength and its enactment of the so-called "anti-secession law", the peace in the Taiwan Strait may possibly be endangered. The United Nations and the international community should pay close attention to this situation, and adopt necessary preventive and response measures. The reasons are as follows:

1. Maintaining peace and security is the goal of the United Nations

Article 1 of the Charter of the United Nations clearly states its fundamental goal to be "to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace".

The Charter also gives the United Nations the major responsibility of assisting in promoting peaceful resolutions of disputes. Article 33 of the Charter explicitly states that "the parties to any disputes, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice".

Furthermore, Article 34 of the Charter stipulates that the Security Council, which enjoys the primary responsibility for the maintenance of international peace and security, "may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security".

Therefore, maintaining regional peace and security, including in the Taiwan Strait, is the responsibility and obligation of the United Nations. As the peace and security of the 23 million people of Taiwan are seriously threatened, the United Nations should express its concern and pay close attention to this situation.

2. Maintaining peace is the necessary foundation for safeguarding human rights

Wars most brutally harm fundamental human rights, and the threat and intimidation of war are the biggest challenge to the protection and promotion of human rights. The Preamble to the Charter of the United Nations clearly states: "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person". Without peace, there can be no human rights. Peace is the most important foundation for the safeguard of human rights.

In view of this, the fundamental rights of the 23 million people of Taiwan cannot be protected if the threat and shadow of war are not eradicated. In other words, if the people of Taiwan cannot be free from the fear of war, then the commitment of the United Nations to safeguarding human rights would just be empty talk. The issue of peace across the Taiwan Strait is not only an issue of security in the real world, but also a moral and human rights issue.

3. Peace and security are the common goal of all members of the United Nations in the twenty-first century

In the United Nations Millennium Declaration issued in September 2000, heads of State and Government publicly pledge: "We are determined to establish a just and lasting peace all over the world in accordance with the purposes and principles of the Charter" and rededicated themselves to support "resolution of disputes by peaceful means and in conformity with the principles of justice and international law". World leaders pledged to "spare no effort to free our peoples from the scourge of war, whether within or between States". In order to achieve this goal, Governments resolved that "responsibility for managing worldwide economic and social development, as well as threats to international peace and security, must be shared among the nations of the world".

This year marks the sixtieth anniversary of the United Nations. How to respond to the post-cold war international situation, which is characterized by ever-expanding globalization, has become crucial to the future development of the United Nations. The United Nations Millennium Declaration has clearly outlined the direction of the future efforts and reform of this international Organization. The maintaining by the United Nations of security and peace, and its exercise of its function of preventing conflicts and ensuring the peaceful resolution of disputes have become important indicators of the results of its reform and enhancement of its effectiveness. The United Nations has the responsibility and obligation to play a key role in regional security issues, including in the Taiwan Strait, so as to demonstrate its determination and endeavour in the new millennium.

4. The People's Republic of China does not renounce the use of force against Taiwan

Article 2, paragraph 3 of the Charter of the United Nations explicitly states: "All Members shall settle their international disputes by peaceful means in such a manner that the international peace and security, and justice, are not endangered". Article 2, paragraph 4 requests that: "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations". However, the People's Republic of China is not willing to publicly make the commitment to renounce the use of force in solving the Taiwan Strait dispute. Over the last 10 years, it has yearly increased its military budget at a double-digit rate and continued to strengthen its military deployments. This has increasingly become a serious threat to the security of the people of Taiwan. As a matter of fact, the People's Republic of China has deployed around 700 missiles targeting Taiwan and the number is increasing by a hundred annually. The People's Liberation Army of the People's Republic of China often holds military exercises simulating invasion of Taiwan and is making preparations for settling the Taiwan Strait dispute through war.

The National People's Congress of the People's Republic of China enacted the so-called "anti-secession law" in March this year, emphasizing that in a specific time and situation, it will adopt "non-peaceful means and other necessary measures" to settle the disagreement between the two sides of the Taiwan Strait. The unilateral adoption of this law undoubtedly has the goal of providing the People's Republic of China with a legal excuse to use military force to invade Taiwan. This not only obviously violates the principle of peaceful resolution of disputes stipulated in the Charter of the United Nations, but also is a threat to the security and existence of the 23 million people of Taiwan. In view of the undisguised preparation of the People's Republic of China to use non-peaceful means in settling the Taiwan Strait issue, it is absolutely necessary for the United Nations to express its grave concern and take necessary measures so as to prevent itself from being regarded as acquiescing to, or even approving this conduct, which is in violation of the Charter of the United Nations.

5. The peace and security of the Taiwan Strait receives the attention of the international community

The unilateral enactment of the "anti-secession law" by the People's Republic of China has elevated the tension in the Taiwan Strait, and threatens the peace and stability of East Asia. Many countries, including the United States of America, Japan and the member States of the European Union, have expressed their grave concern over this development. They are concerned about the attempt by the People's Republic of China to change the status quo in the Taiwan Strait by military force. They encourage both sides of the Taiwan Strait to engage in dialogue and settle disputes through peaceful means.

The United States House of Representatives adopted resolution 98 on 17 March 2005 expressing its grave concern over the possible change in the status quo in the Taiwan Strait after the People's Republic of China adopted its so-called "anti-secession law". The European Parliament passed a resolution on relations between the European Union, China and Taiwan, and security in the Far East on 6 July to oppose this "anti-secession law". This resolution states that this law does not comply with international law, is a tool that cannot successfully lead to "peaceful national reunification", which was the declared goal of the People's Republic of China, and undermines the fragile security balance in the Far East. In addition, it calls on both sides of the Taiwan Strait to establish mutual trust and respect, to seek common ground while setting aside differences and to resume dialogue for a peaceful and steady development of cross-Strait relations.

Fourteen countries recently sent a joint letter to the President of the United Nations General Assembly, the United Nations Secretary-General and the President of the Security Council, emphasizing that the so-called "anti-secession law" threatens the status quo in the Taiwan Strait and further endangers peace and stability in the East Asia region. Any use of force will not only severely violate the principles upheld in the Charter of the United Nations, but also violate the spirit of the Secretary-General's report to the General Assembly entitled "In larger freedom: towards development, security and human rights for all".

6. Peace in the Taiwan Strait is essential to the peace, prosperity and development of the Asian and Pacific region

Taiwan is an important geopolitical and economic pivot in East Asia, as well as a transport hub for sea and air routes with thousands of civil airliners and 500 to 600 commercial vessels passing daily through the Taiwan Strait and its airspace. In the context of the ongoing trend towards regional integration and increasing global interdependence, the peace and stability of cross-Strait relations have a direct impact on the peace, development and security of the Asian and Pacific region and even of the whole world. The United Nations has the responsibility of closely monitoring the development of the situation in the region. As a global dialogue forum, it can play a positive and proactive role in promoting peace and stability in the Taiwan Strait by fulfilling the ideals and goals upheld in the Charter regarding the maintenance and pursuit of peace, thus setting an example for the peacemaking function of the United Nations in the twenty-first century.

Annex II

Draft resolution

The General Assembly,

Considering that one of the primary purposes of the United Nations is to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace,

Ensuring, in accordance with the regulations of the Charter, that States have the obligation to resolve their international disputes through peaceful means, to prevent endangering international peace, security and justice,

Recalling the primary obligation of all States Members of the United Nations to resolve disputes through peaceful means based on the procedure stipulated in Chapter VI of the Charter of the United Nations when an international dispute occurs,

Realizing that peace is the necessary condition for safeguarding human rights and exercising justice, and that the use of non-peaceful means to settle disputes violates human rights and justice,

Acknowledging that peace in the Taiwan Strait is crucial to peace, prosperity and stability in the Asian and Pacific region, and noting that the peace and stability of the Taiwan Strait faces possible harm,

Reiterating that the United Nations shoulders the responsibility to prevent conflicts and maintain peace,

Decides:

(a) To urge both sides of the Taiwan Strait to settle disputes through peaceful means;

(b) To request the Secretary-General to appoint a special envoy or a fact-finding mission to evaluate the security situation in the Taiwan Strait, and to produce a report for the General Assembly and other relevant bodies of the United Nations, including the Security Council;

(c) To request the Secretary-General to adopt necessary measures, and encourage and assist both sides of the Taiwan Strait in establishing peaceful dialogue and exchanges.

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Addendum

Add the following name to the list of signatories:

(*Signed*) Joel M. **Nhleko**
Chargé d'affaires a.i. of the Permanent Mission
of Swaziland to the United Nations

05-46942 (E) 230805